

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

BRENNAN M. GILMORE,

Plaintiff,

v.

ALEXANDER E. (ALEX) JONES, *et al.*,

Defendants.

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) No. 3:18-cv-00017-NKM-JCH
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PLAINTIFF’S MOTION FOR LEAVE TO FILE ADDITIONAL PAGES

Plaintiff Brennan Gilmore hereby moves this Court to permit him to file a consolidated brief in opposition to the three pending motions to dismiss that exceeds the twenty-five page limit set out by the Court’s pretrial order. (ECF No. 54). Mr. Gilmore seeks a seventy (70) page limit for his consolidated brief in opposition to the three pending motions to dismiss. There is good cause for this request. In support of this motion, Mr. Gilmore states as follows:

1. There are three motions to dismiss the Amended Complaint currently pending: a motion that is supported by a ninety-six page brief filed by Defendants Creighton, Hickford, Hoft, Stranahan, Wilburn, and Words-N-Ideas LLC, filed on May 9, 2018 (ECF Nos. 46-47); a motion that is supported by a twenty-five page brief filed by Defendants Jones, McAdoo, Free Speech Systems, LLC, and Infowars LLC, filed on May 22, 2018 (ECF Nos. 56-57); and a motion that is supported by a fifteen page brief filed by Defendant West on May 22, 2018 (ECF Nos. 58-59). Together, the briefs in support of the pending motions to dismiss total 136 pages.

2. On May 15, 2018, this Court granted Mr. Gilmore's request to file a single, consolidated opposition to Defendants' motions to dismiss. (ECF No. 52).
3. Pursuant to the Pretrial Order in this case, briefs may not exceed twenty-five pages, "unless the filing party first obtains leave of the court after showing good cause why a longer brief is necessary." (ECF No. 54 at 3).
4. Defendants' briefs in support of their motions to dismiss make numerous factual and legal arguments that address not only the merits of Mr. Gilmore's claims, but also various jurisdictional and other issues. The defendants raise arguments about subject-matter jurisdiction, personal jurisdiction, choice of law, statutory defenses, and attorneys' fees and costs, in addition to arguments regarding multiple prongs of Mr. Gilmore's defamation and intentional infliction of emotional distress claims.
5. If Mr. Gilmore were to respond to each motion separately, he would be entitled to a total of seventy-five pages.
6. Mr. Gilmore has heeded this Court's admonition to "consider how to both effectively and succinctly present" his position (ECF No. 52 at 2), and he will endeavor to keep his opposition brief as succinct as possible, including by not using all of the pages he now seeks if that proves possible. However, Mr. Gilmore is seeking seventy pages for his brief to ensure that he can adequately address all of the issues raised in Defendants' briefs in one consolidated opposition.
7. Counsel for Mr. Gilmore has conferred with counsel for all defendants. Counsel for Defendants Jones, McAdoo, Free Speech Systems, LLC and InfoWars LLC, and counsel for Defendant West do not oppose the relief requested. Counsel for Defendants

Creighton, Hickford, Hoft, Stranahan, Wilburn, and Words-N-Ideas LLC opposes the relief requested unless his clients are allowed seventy (70) pages for their reply brief.

8. Accordingly, Mr. Gilmore hereby requests leave to file a consolidated brief in opposition to Defendants' three pending motions to dismiss that shall not exceed seventy (70) pages.

Respectfully submitted,

/s/ Andrew Mendrala
Andrew Mendrala, Virginia Bar No. 82424
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Dated: June 13, 2018

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BRENNAN M. GILMORE,)	
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Plaintiff,)	
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v.)	No. 3:18-cv-00017-NKM-JCH
)	
ALEXANDER E. (ALEX) JONES, <i>et al.</i> ,)	
)	
Defendants.)	
)	
)	

[PROPOSED] ORDER

Upon consideration of Plaintiff's Motion for Leave to File Additional Pages, it is hereby:

ORDERED that Plaintiff Brennan Gilmore's consolidated opposition to the three pending motions to dismiss in this case shall not exceed seventy (70) pages.

Dated: _____, 2018

United States District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of June, 2018, a copy of the foregoing Motion was filed electronically with the Clerk of the Court.

/s/ Andrew Mendrala